



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Office Application of: Pearce, et al.
Serial No.: 10/762,172
Filed: January 20, 2004
Group No.: 2642
Confirmation No. 4779
Examiner: Harry S. Hong
For: *Automated Route Plan Generation*

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION (37 C.F.R. §1.321 (c)) AND
CERTIFICATE UNDER 37 C.F.R. §3.73 (b)**

I, Robert Barr, Vice President and Worldwide Patent Counsel of Cisco Technology, Inc., 225 W. Tasman Drive, San Jose, California 95134, represent that Cisco Technology, Inc. is the assignee and the exclusive owner of the entire right, title and interest of, in and to application Serial No. 10/762,172 filed on January 20, 2004, for *Automated Route Plan Generation*, as indicated by the attached Assignment from the inventors to Cisco Technology, Inc., and certify that to the best of assignee's knowledge and belief, title is in the assignee seeking to take action; and that I am empowered to act on behalf of assignee.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true. Furthermore, I declare that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of

the United States Code, and that such willful false statements may jeopardize the validity of the Application or any patent issuing thereon.

Cisco Technology, Inc. hereby disclaims the terminal part of any patent granted on the above-identified application, that would extend beyond the expiration date of U.S. Patent No. 6,704,406 granted March 9, 2004, also assigned to and owned by said Cisco Technology, Inc. as indicated by the Assignment Records of the U.S. Patent and Trademark (copy attached), and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,704,406, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

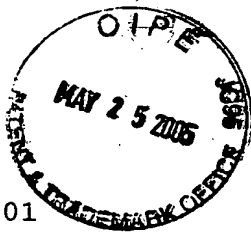
Petitioner, however, does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration of the full statutory term of the above-referenced U.S. Patent No. 6,704,406, in the event that one or more of the following occurs: U.S. Patent No. 6,704,406 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The \$130.00 fee required by 37 C.F.R. 1.20(d) is submitted herewith and believed to be correct. However, the Commissioner is hereby authorized to charge any underpayment or credit any overpayment of fees to Deposit Account No. 02-0384 of Baker Botts, L.L.P.

Respectfully submitted,

May 13, 2005
Date


Robert Barr
Vice President and Worldwide Patent Counsel



062891-0609
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

AUGUST 16, 2001

PTAS



101743164A

BAKER BOTTS L.L.P.
BARTON E. SHOWALTER
2001 ROSS AVENUE
DALLAS, TEXAS 75201-2980

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/31/2001

REEL/FRAME: 011863/0981
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

PEARCE, CHRISTOPHER E.

DOC DATE: 05/25/2001

ASSIGNOR:

CHOW, RITA L.

DOC DATE: 05/25/2001

ASSIGNEE:

CISCO TECHNOLOGY, INC.
170 WEST TASMAN DRIVE
SAN JOSE, CALIFORNIA 95134

SERIAL NUMBER: 09867795

FILING DATE: 05/29/2001

PATENT NUMBER:

ISSUE DATE:

SEDLEY PYNE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

Docketed ☒ WFO ☒

RVF Docketed ☐

References ☐



ATTORNEY DOCKET: 062891.

Sheet 1 of 2

FORM PTO 1595
1-31-92

101743164

RECORDATION FORM COVER SHEET
PATENTS ONLYU.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name and Address of Conveying Party(ies) INDIVIDUAL:

Christopher E. Pearce
3401 Commerce Street, #101
Dallas, Dallas County, Texas 75226

Individual Citizenship: United States of America

Additional name(s) of conveying party(ies) attached?

☒ Yes ☐ No

2. Name and Address of receiving Party(ies):

Name: Cisco Technology, Inc.

Internal Address:

Street Address: 170 West Tasman Drive

City: San Jose

State: California Zip: 95134

1046 U.S. PTO
09/867795

3. Nature of conveyance:

☒ Assignment
☐ Security Agreement
☐ Other

☐ Merger
☐ Change of Name
Additional name(s) &
Address(es) attached?☐

Yes

☒

No

Execution Date: May 25, 2001

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: May 25, 2001.

A. Patent Application No.(s):

09867795

B. Patent No.(s):

Additional Numbers

☐

Yes

☒

No

5. Name and address of party to whom correspondence concerning document should be mailed to:

Name: Barton E. Showalter
Internal Address: BAKER BOTTS L.L.P.
Street Address: 2001 Ross Avenue
City: Dallas
State: Texas Zip: 75201-2980

6. Total number of application and patents involved: One

7. Total Fee (37C.F.R. 3.41): \$40.00

☒ Enclosed
☐ Authorized to be charged to deposit account

8. Deposit Account Number:

(Attach Duplicate Copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Kurt M. Pankratz

Signature

May 29, 2001

Date

Total number of pages including cover sheet

4

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover sheet information:

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Washington, D.C. 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project, (0651-0011), Washington, D.C. 20503

I. Name and Address of Conveying Party(ies) INDIVIDUAL:

Rita L. Chow
6037 Timber Creek Lane
Dallas, Dallas County, Texas 75248

Individual Citizenship: United States of America

ATTORNEY DOCKET NO.
062891.0609

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ASSIGNMENT

WHEREAS, I, the undersigned inventor(s), of residence as listed, having invented certain new and useful improvements as below entitled, for which application for United States Letters Patent is made, said application having been executed on the date set forth below; and

WHEREAS, Cisco Technology, Inc. (hereinafter referred to as "Assignee"), a California Corporation, with an address of 170 West Tasman Drive, San Jose, California 95134, desires to acquire my entire right, title and interest in and to the invention, and in and to the said application and any Letters Patent that may issue thereon;

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I assign to Assignee, all right, title and interest in and to said invention and in and to said application and all patents which may be granted therefor, and all divisions, reissues, continuations, continuations-in-part and extensions thereof; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue all patents for said invention, or patents resulting therefrom, insofar as our interest is concerned, to Assignee.

I also assign to Assignee, all right, title and interest to the invention disclosed in said application throughout the world, including the right to file applications and obtain patents, utility models, industrial models and designs for said invention in its own name throughout the world including all rights to publish cautionary notices reserving ownership of said invention and all rights to register said invention in appropriate registries; and I further agree to execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith necessary to perfect such right, title and interest in Assignee.

I will communicate to Assignee any facts known to me respecting any improvements; and, at the expense of Assignee, I will testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and substitute applications, make lawful oaths and declarations, and generally do everything possible to vest title in Assignee and to aid Assignee to obtain and enforce proper protection for said invention in all countries.

ATTORNEY DOCKET NO.
062891.0609

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This Assignment shall be binding on the parties' successors, assigns and legal representatives.

Title of Invention: *Automated Route Plan Generation*

Signature of Inventor:

Christopher E Pearce

Inventor's Name:

Christopher E. Pearce

Residence (City, County, State)

Dallas (Dallas), Texas

Date Assignment executed:

05/25/2001

Date Application executed:

05/25/2001

Signature of Inventor:

Rita Chow

Inventor's Name:

Rita L. Chow

Residence (City, County, State)

Dallas (Dallas), Texas

Date Assignment executed:

5/25/01

Date Application executed:

5/25/01